IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

TUESDAY, THE 6TH NOVEMBER 2007 / 15TH KARTHIKA 1929

WP(C).No. 32576 of 2007(C)

PETITIONER:

A.K.PAREED, S/O A.E.KUNJUMARAKKAR,
VILLAGE OFFICER, VADAKKUMKARA VILLAGE,
THRISSUR DISTRICT, RESIDING AT ALANGATTU HOUSE,
MALA P.O., THRISSUR DISTRICT.

BY ADV. SRI.KKM.SHERIF
SRI.LAL K.JOSEPH
SRI.A.A.ZIYAD RAHMAN
SMT.SHEENA SAMUEL
SRI.P.H.SAVAN KUMAR

RESPONDENTS:
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1. THE COMMISSIONER FOR LAND REVENUE,
THIRUVANANTHAPURAM.

2. THE DISTRICT COLLECTOR,
THRISSUR, AYYANTHOLE, THRISSUR.

3. THE ADDITIONAL DISTRICT MAGISTRATE,
THRISSUR, AYYANTHOLE, THRISSUR.

4. THE TAHSILDAR, MUKUNDAPURAM TALUK,
IRINJALAKUDA, THRISSUR DISTRICT.

BY GOVERNMENT PLEADER SRI.I.V.PRAMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 06/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.
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W.P.(C) NO. 32576 OF 2007 C
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Dated this the 6th day of November, 2007

J U D G M E N T

The prayer in this writ petition is as follows:

> (i) issue a writ of mandamus or any other appropriate writ or order directing the respondents not to initiate any disciplinary proceedings against the petitioner without giving him an opportunity to submit his objections/explanations with respect to the allegations.

Ordinarily, it is not the requirement of law that before disciplinary proceedings are initiated such as a show cause notice is issued or an employee is placed under suspension, in contemplation of a disciplinary action, he should be given a prior opportunity to submit his objections or explanations. It is true that he is entitled to the opportunities, but then, such opportunities, the employee is entitled to get is only in terms of what is provided for in the rules governing the disciplinary proceedings. Writ petitioner is not in a position to refer to any

rule in support of the relief that is sought for. In view of this, I do not find any merit in the prayer made by him.

Writ petition fails and is dismissed.

ANTONY DOMINIC, JUDGE.

Rp